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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,179	03/04/2002	Steven R. Lindsey	2828-5029US	4746
26986	7590	07/28/2006	EXAMINER	
MORRIS O'BRYANT COMPAGNI, P.C. 136 SOUTH MAIN STREET SUITE 700 SALT LAKE CITY, UT 84101			MURPHY, RHONDA L	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/090,179	LINDSEY ET AL.	
	Examiner	Art Unit	
	Rhonda Murphy	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is responsive to the amendment filed on 11/28/05.

Accordingly, claims 1-14 are currently pending in this application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heep et al. (US 4,996,709).

Regarding claim 1, Heep teaches a media network station (Fig. 2; intercom 10) comprising: a media transceiver (modulators 14,15/demodulators 34,35) configured for

sending and receiving media signals (col. 3, lines 14-22, 65-67) over a media bus (bus line, not shown, connected to transformer 28; col. 3, lines 42-46); a data transceiver (modulator 16/demodulator 36) for sending and receiving control signals (col. 3, lines 40-54 and 67-68) over a control bus line, not shown, connected to transformer 28; col. 3, lines 42-46, 58-59); and a processor (microprocessor 44) in communication with said media transceiver and said data transceiver (see Fig. 2) for arbitrating transmission and reception of said media signals based on said control signals (col. 5, lines 62-68; col. 6, lines 1-7) and preventing media signal collisions from occurring on said media bus (col. 6, lines 3-7).

Heep fails to explicitly disclose configuring the media network station for wall mounting. However, Examiner takes official notice that it is well known in the art for intercoms to be mounted on a wall.

Therefore, it would have been obvious to one skilled in the art to mount the intercom described by Heep, on a wall, so as to optimize space and enable ease of use of the intercom.

Regarding claim 2, Heep teaches the media network station further comprising a switchable media bus termination network (switch 24) between said media transceiver and said media bus for balancing transmissions on said media bus (col. 5, lines 36-34 and 51-61).

Regarding claim 3, Heep teaches the media network station further comprising a

switchable control bus termination network (switch 40) between said data transceiver and said control bus for balancing transmissions over said control bus (col. 4, lines 15-18).

Regarding claim 4, Heep teaches the media network station further comprising a media output connection (line connecting telephone handset 20 to speaker 19; col. 4, lines 5-7) in communication with said media transceiver for interconnecting received media signals with an external media device (speaker 19).

Regarding claim 5, Heep teaches the media network station further comprising a media input connection (line connecting telephone handset 20 to microphone 18; col. 3, lines 17-19) in communication with said media transceiver for interconnecting an external medial device (microphone 18) with said media transceiver for media signal transmission over said media bus (col. 3, lines 17-19).

Regarding claims 6 and 8, Heep teaches the media network station further comprising a memory device (located within microprocessor 44) in communication with said processor for storing computer instructions executable by said processor (col. 4, lines 712), said computer instructions implementing a method of switching arbitration to prevent said media signal collisions from occurring on said media bus (col. 6, lines 3-8).

Regarding claim 7, Heep teaches the same limitations described above in the rejection of claim 1. Heep further teaches a plurality of media network stations connected to said media bus and said control bus (Fig. 3; col. 5, lines 48-50).

Regarding claim 9, Heep teaches said media bus comprising a signal transmission technology selected from the group consisting of electrical, infra-red, ultrasonic, radio

frequency and fiber optic technologies (Fig. 2, col. 3, lines 1-6; electrical signal transmission technology via telephone lines).

Regarding claim 10, Heep teaches said media bus comprising a plurality of media buses (col. 3, lines 9-13).

Regarding claim 11, Heep teaches the same limitations described above in the rejection of claim 7. Heep further teaches providing a digital media network system having a plurality of digital media network stations (col. 3, lines 9-11), one of said plurality of digital media network stations creating a control packet (col. 3, lines 41-42; further described in col. 6, lines 9-13; microprocessor sends control packet); said one digital media network station sending said control packet on said control bus to all other digital media network stations (col. 6, lines 9-13); said all other digital media network stations parsing said control packet (col. 6, lines 13-19); and if said control packet comprises a system-wide broadcast command and there is no transmission on said media bus, executing said system-wide broadcast command (col. 6, lines 20-35).

Regarding claim 12, Heep teaches if said control packet comprises a media network station-specific command, and there is no transmission on said media bus, executing a handshake and said media network station-specific command or else timing out (col. 6, lines 20-35, 49-51).

Regarding claim 13, Heep teaches executing a handshake further comprises validating a response to ensure correct processing of said media network station-specific command (col. 20-35).

Regarding claim 14, Heep teaches the same limitations described above in the rejection of claim 1. Heep further teaches a media network system including at least three media network stations interconnected by a media bus and a control bus (Fig. 3; col. 5, lines 48-50); one of said at least three media network stations monitoring said control bus (col. 5, lines 62-68; col. 6, lines 1-3; at least one microprocessor of the intercom monitoring the control bus); and said one of said at least three media network stations transmitting media signals to all other of said at least three media network stations if said media bus is not being used (col. 6, lines 55-62).

Response to Arguments

4. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

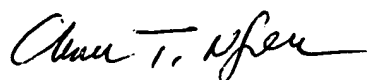
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-3185. The examiner can normally be reached on Monday - Friday 8:00 - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rhonda Murphy
Examiner
Art Unit 2616

RM



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